LANKLER SIFFERT & WOHL LLP

ATTORNEYS AT LAW

500 FIFTH AVENUE
NEW YORK, N. Y. 10110-3398
WWW.LSWLAW.COM

TELEPHONE (212) 921-8399
TELEFAX (212) 764-3701

MEMO ENDORSED

May 15, 2017

BY ECF:

Honorable Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

> USDC SDNY
> DOCUMENT
> ELECTRONICALLY FILED
> DOC #:_____
> DATE FILED: 5/15/2017

Re: **United States v. Percoco, et al.**, S1 16 Cr. 776 (VEC)

Dear Judge Caproni:

We respectfully submit this letter on behalf of Peter G. Kelly, Jr., in the above matter to request a one day extension—from May 18 to May 19—of the date on which the defense motions are due. We have conferred with codefendants and the Government, and all consent to this schedule. If the Court grants our request, the Government asks for an additional day to submit its opposition papers—from June 29 to June 30.

The short adjournment is necessary because the Government obtained a Superseding Indictment only one week before motions were due—on Thursday of last week—that alters the conspiracy count charged against Mr. Kelly and impacts the motions we intend to file. We have had to spend significant time redrafting our motions to properly address the Superseding Indictment and require an extra day to finalize those motions.
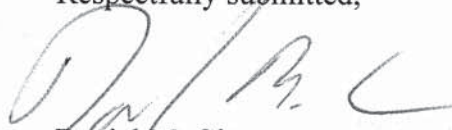
Despite the meaningful reworking that we must now complete on the motions, we are only asking for a one-day adjournment, so that our motions will be due on May 19, 2017.

We thank the Court in advance for its consideration of this application.

LANKLER SIFFERT & WOHL LLP

Honorable Valerie E. Caproni
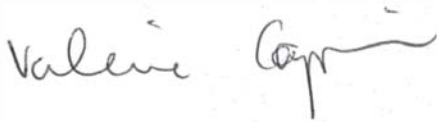May 15, 2017
Page 2

Respectfully submitted,

Daniel M. Gitner

CC:

All Counsel (by ECF)

Application GRANTED. Pretrial motions must be filed on or before May 19, 2017.
Opposition briefs must be filed on or before June 30, 207. Reply briefs may be filed
on or before July 21, 2017.

SO ORDERED.

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE
5/15/2017